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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

JOHN WILLIAMS, JR.,

Defendant and Appellant.

H034350

(Santa Clara County

Super. Ct. No. 151616)

John Williams Jr. appeals from an order extending his commitment as a “Mentally Disordered Offender.” (Pen. Code, § 2970.) Appellant was admitted to Atascadero State Hospital pursuant to Penal Code section 2962 in December 1991, having previously served a three year prison sentence for assault with a deadly weapon under Penal Code sections 245, subdivision (a)(1). Since that time, appellant’s commitment has been periodically extended.

On March 6, 2009, the District Attorney of Santa Clara County filed a petition to extend the involuntary commitment. Appellant objected and on June 4, 2009 the court commenced a court trial. During the trial, the court heard expert medical testimony about defendant’s mental condition as well as testimony from defendant himself. After hearing the evidence, the court found the allegations of the petition to be true and issued an order extending appellant’s commitment. This timely appeal ensued.

On appeal, we appointed counsel to represent appellant in this court. Appointed counsel has filed an opening brief which states the case and the facts but raises no specific issues. (*Conservatorship of Ben C.*, (2007) 40 Cal.4th 529, 543-544 (*Ben C.*); *People v. Taylor* (2008) 160 Cal.App.4th 304.) In the opening brief, counsel requests that we allow appellant the opportunity to submit a brief in propria persona pursuant to *Ben C.*, *supra*, 40 Cal.4th at pp. 543-544 (*Ben C.*). On October 30, 2009, we notified appellant of his right to submit written argument in his own behalf within 30 days. Thirty days have elapsed and we have received nothing from appellant.

The appellant having failed to raise any issue on appeal, the appeal must be dismissed as abandoned. (*Ben C.*, *supra*, 40 Cal.4th 529.)

DISPOSITION

The appeal is dismissed as abandoned.

RUSHING, P.J.

WE CONCUR:

PREMO, J.

ELIA, J.